Case 25-10356-pmb Doc 502 Filed 06/25/25 Imaged Certificate or Nouce

Entered 06/26/25 01:01:28 Desc Docket #0502 Date Filed: 06/25/2025



IT IS ORDERED as set forth below:

Date: June 23, 2025

Pal Baisie

Paul Baisier U.S. Bankruptcy Court Judge

IN THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF GEORGIA NEWNAN DIVISION

In re:

Chapter 11

AFH AIR PROS, LLC, et al.,¹

Debtors.

Case No. 25-10356 (PMB)

(Jointly Administered)

Re: Docket Nos. 195, 282, 291, 419

CONSENT ORDER ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY

This matter came before the Court upon the Motion of Jack Denton for Relief from the

Automatic Stay Pursuant to 11 U.S.C. § 362 dated April 14, 2025 [D.I. 195] (the "Motion") filed

by creditor Jack Denton ("Movant"), the objection to the Motion filed by the above-captioned

debtors and debtors-in-possession (the "Debtors") on April 28, 2025 [D.I. 282] (the "Objection"),

¹ The last four digits of AFH Air Pros, LLC's tax identification number are 1228. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the claims and noticing agent at <u>https://www.veritaglobal.net/AirPros</u>. The mailing address for the debtor entities for purposes of these chapter 11 cases is: 150 S. Pine Island Road, Suite 200, Plantation, Florida 33324.



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the reply in support of the Motion filed by Movant on May 1, 2025 [D.I. 291], and the supplemental briefing filed by Movant on May 21, 2025 [D.I 419]. In the Motion, Movant seeks relief from the automatic stay to pursue a direct action against the Debtors' (former) insurer, United Specialty Insurance Company ("<u>USIC</u>"), in connection with a default judgment Movant secured pre-petition against Debtor Air Pros One Source, LLC ("<u>One Source Debtor</u>").

The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); venue of these Chapter 11 Cases and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court conducted a preliminary hearing on the Motion on May 7, 2025 at 1:00 p.m. (prevailing Eastern Time) and scheduled a further hearing on the Motion for June 23, 2025 at 9:30 a.m. (prevailing Eastern Time). Movant and the Debtors have represented to the Court that they have resolved all pending disputes regarding the Motion and Objection and have consented to the entry of this Order. Based on the foregoing, the Court finds that good cause exists to grant limited relief from the automatic stay, subject to the agreed terms of this Order.

IT IS HEREBY ORDERED THAT:

1. The automatic stay imposed by section 362(a) of the Bankruptcy Code is lifted to permit (i) Movant to pursue a direct action against USIC to recover under the applicable insurance policy or otherwise, and (ii) the One Source Debtor to proceed with its appeal of the default judgment obtained by Movant in Colorado state court.

2. Movant may not seek to recover from the Debtors outside the claims process in these chapter 11 cases. The automatic stay imposed by section 362 of the Bankruptcy Code (and any injunction that may be imposed by a chapter 11 plan) shall remain in place as to any efforts

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by Movant to collect any amount from the Debtors outside of this Court and the chapter 11 claims process.

3. Any amounts recovered by Movant outside of this Court relating to its claim against the Debtors (including any claim(s) Movant may pursue against USIC or any other third party outside of this Court), shall reduce, on a dollar-for-dollar basis, any claim filed by Movant in these chapter 11 cases.

4. Until the earlier of (i) such time as the chapter 11 plan filed by the Debtors has been confirmed and the effective date has occurred, or (ii) September 1, 2025, the automatic stay shall remain in place with respect to discovery matters and Movant may not seek any formal or informal discovery from the Debtors or their personnel. The foregoing parties reserve all of their respective rights with respect to any such future discovery requests. Nothing herein shall limit Movant's right to seek discovery from, or communicate directly with, USIC upon entry of this Order.

5. Nothing in this Order shall be construed as a finding or conclusion that Movant has, or is entitled to assert, a claim against the Debtors' respective estates.

6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

END OF DOCUMENT

3

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Prepared and presented by:

Consented to by:

GREENBERG TRAURIG, LLP

EARL & EARL PLLC

/s/ David B. Kurzweil

David B. Kurzweil (Ga. Bar No. 430492) Matthew A. Petrie (Ga. Bar No. 227556) Terminus 200 3333 Piedmont Road, NE, Suite 2500 Atlanta, Georgia 30305 Telephone: (678) 553-2100 Email: kurzweild@gtlaw.com petriem@gtlaw.com

Counsel for the Debtors and Debtors in Possession

<u>/s/ Kit Barron Bradshaw</u> Kit Barron Bradshaw (Ga. Bar No. 075450) Of Counsel 4565 Hilton Pkwy, Ste. 228 Colorado Springs, CO 80907 Telephone: (719) 900-2500 Email: K.bradshaw@EarlandEarl.com

Counsel to Jack Denton

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Distribution List

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David B. Kurzweil (Ga. Bar No. 430492) Matthew A. Petrie (Ga. Bar No. 227556) Terminus 200 3333 Piedmont Road, NE, Suite 2500 Atlanta, Georgia 30305 Case 25-10356-pmb Doc 502 Filed 06/25/25 Entered 06/26/25 01:01:28 Desc Page 6 of 10 Imaged Certificate of Notice

United States Bankruptcy Court

Northern District of Georgia

In re: AFH Air Pros, LLC Mauzy Air Pros, LLC Debtors

CERTIFICATE OF NOTICE

District/off: 113E-7 Date Rcvd: Jun 23, 2025 User: bncadmin Form ID: pdf401

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Chapter 11

The following symbols are used throughout this certificate: Symbol Definition

+

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 25, 2025:

Recip ID	Recipient Name and Address
db	+ AFH Air Pros, LLC, 150 S. Pine Island Road, Suite 200, Plantation, FL 33324-2695

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS. NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 25, 2025

Signature:

/s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 23, 2025 at the address(es) listed below:		
Name	Email Address	
Andrew Glenn	on behalf of Creditor Axaa Family LLC aglenn@glennagre.com	
Anna Mari Humnicky	on behalf of Creditor Committee Committee of Creditors Holdings Unsecured Claims ahumnicky@smallherrin.com klemons@smallherrin.com;kweindorf@smallherrin.com	
Benjamin S. Klehr	on behalf of Creditor Committee Committee of Creditors Holdings Unsecured Claims bklehr@smallherrin.com klemons@smallherrin.com;kweindorf@smallherrin.com	
Cameron M. McCord	on behalf of Interested Party Buddy's Heating & Cooling L.L.C. cmccord@joneswalden.com, jwdistribution@joneswalden.com;ljones@joneswalden.com;cparker@joneswalden.com;lpineyro@joneswalden.com;bdernus@jon eswalden.com	
Cameron M. McCord		

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District/off: 113E-7 Date Rcvd: Jun 23, 2025	User: bncadmin Form ID: pdf401	Page 2 of 5 Total Noticed: 1		
	on behalf of Interested Party Hansen Super Techs LLC cmccord@joneswalden.com, jwdistribution@joneswalden.com;ljones@joneswalden.com;cparker@joneswalden.com;lpineyro@joneswalden.com;bdernus@jon eswalden.com			
Cameron M. McCord	on behalf of Interested Party Southern Air of Thibodaux LLC cmccord@joneswalden.com, jwdistribution@joneswalden.com;ljones@joneswalden.com;cparker@joneswalden.com;lpineyro@joneswalden.com;bdernus@jon eswalden.com			
Cameron M. McCord	on behalf of Interested Party Apex Service Partners cmccord@joneswalden.com jwdistribution@joneswalden.com;ljones@joneswalden.com;cparker@joneswalden.com;lpineyro@joneswalden.com;bdernus@jon eswalden.com			
Christopher K. Coleman	on behalf of Interested Party East Coast Mechanical Home Services LLC christopher.coleman@kslaw.com			
Cia H. Mackle	on behalf of Creditor Committee Committee of Creditors Holdings Unsecured Clain	ıs cmackle@pszjlaw.com		
Colin Michael Bernardino	on behalf of Interested Party Any Hour LLC cbernardino@kilpatricktownsend.com	moroberts@ktslaw.com		
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David Wender	on behalf of Creditor Columbia Home Services LLC davidwender@eversheds-suthe	rland.com		
David B. Kurzweil	on behalf of Debtor Dream Team Air Pros LLC kurzweild@gtlaw.com, brattons@g	tlaw.com		
David B. Kurzweil	on behalf of JointAdmin Debtor Hansen Air Pros LLC kurzweild@gtlaw.com, bratt	on behalf of JointAdmin Debtor Hansen Air Pros LLC kurzweild@gtlaw.com, brattons@gtlaw.com		
David B. Kurzweil	on behalf of Debtor Air Pros Texas LLC kurzweild@gtlaw.com brattons@gtlaw.com			
David B. Kurzweil	on behalf of JointAdmin Debtor Air Pros Solutions Holdings LLC kurzweild@gtlaw.com, brattons@gtlaw.com			
David B. Kurzweil	on behalf of Debtor Air Pros One Source LLC kurzweild@gtlaw.com brattons@gtlaw.com			
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Form ID: pdf401

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Esther Hong	on behalf of Creditor Axaa Family LLC ehong@glennagre.com
Evan M. Altman	on behalf of Creditor OKG Group Inc. evan.altman@laslawgroup.com_soraya.hedjazi@laslawgroup.com
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Glenn E. Glover	gary.marsh@troutman.com wlbank@troutman.com
	on behalf of Creditor ServiceTitan Inc. gglover@bradley.com, kpbarnes@bradley.com
Gus H. Small	

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	on behalf of Creditor Committee Committee of Creditors Holdings Unsecured Claims gsmall@smallherrin.com klemons@smallherrin.com		
Heather D. Brown	on behalf of Creditor Heat Transfer Systems of Georgia LLC heather@hdbrownlaw.com		
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J. Robert Williamson	on behalf of Creditor Alter Domus (US) LLC rwilliamson@swlawfirm.com centralstation@swlawfirm.com;aray@swlawfirm.com;hkepner@swlawfirm.com;fharris@swlawfirm.com;mlevin@swlawfirm.co m		
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John Kendrick Turner	on behalf of Creditor Dallas County john.turner@lgbs.com		
Jonathan S. Adams	on behalf of U.S. Trustee Office of the United States Trustee jonathan.s.adams@usdoj.gov		
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Mark A. Mintz	on behalf of Creditor Dream Team Services LLC. mmintz@joneswalker.com, hstewart@joneswalker.com		
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District/off: 113E-7	User: bncadmin	Page 5 of 5
Date Rcvd: Jun 23, 2025	Form ID: pdf401	Total Noticed: 1
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Office of the United States Truste	tee ustpregion21.at.ecf@usdoj.gov	
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Richard Ramirez	on behalf of Creditor Axaa Family LLC rramirez@glennagre.com	
Robert R. Kinas	on behalf of Creditor ServiceTitan Inc. rkinas@swlaw.com, jfung@swlaw.com;sdugan@swlaw.com;mfull@swlaw.com;docket_las@swlaw.com	
Tara L. Grundemeier	on behalf of Creditor Harris Co ESD #09 Tara.Grundemeier@lgbs.com Monica.Herrera@lgbs.com;Houston_bankruptcy@lgbs.com	
Tara L. Grundemeier	on behalf of Creditor Cypress-Fairbanks ISD Tara.Grundemeier@lgbs.com Monica.Herrera@lgbs.com;Houston_bankruptcy@lgbs.com	
TOTAL: 89		